**Separation of Employment and UPPS No. 04.04.50**

**Interdepartmental Transfers** **Issue No. 7**

 **Effective Date: 07/27/2021**

 **Next Review Date: 06/01/2025 (E4Y)**

 **Sr. Reviewer: Assistant Vice**

 **President for Human Resources**

**POLICY STATEMENT**

*Texas State University is committed to efficiently and effectively managing employee separations and interdepartmental transfers.*

### 01. BACKGROUND INFORMATION

01.01 Texas State University recognizes that employment is not permanent. Termination is the end of the employment relationship between the university and the employee for any reason. When employment terminates, an appropriate designation for the type of termination shall be documented in the employee’s personnel record, and [separation procedures](https://www.hr.txstate.edu/worklife/life-experiences/separation.html) shall be followed.

**02. TERMINATION PROTOCOLS AND PROCESSES**

02.02 Voluntary Terminations

A voluntary termination of employment occurs when an employee submits a written or verbal notice of resignation (including intent to retire) to their supervisor, when an employee dies, or when an employee is absent from work for three consecutive workdays and fails to contact their supervisor (job abandonment). The types of separation that are classified as voluntary are as follows:

1. Resignation – occurs when an employee provides management with an oral or written resignation from their position. The resignation notice should include the effective date of the resignation. The supervisor should confirm the acceptance of the resignation in writing and attach the resignation notice and the supervisor’s acceptance to the separation PCR. As a professional courtesy it is expected, but not required, that the resigning employee provide the university with at least 14 calendar days’ notice of intent to resign from their position. Failure to provide adequate notice may result in the employee being designated as ineligible for rehire (see Section 02.05). If an employee requests to withdraw, rescind, or alter their resignation notice before the designated effective date, the employee must make such request to their supervisor in writing. Acceptance of such request is at the sole discretion of the supervisor, and such request will not be effective unless and until the supervisor sends written confirmation of its acceptance to the employee.

1. Resignation in Lieu of Involuntary Termination – On occasion, the supervisor and an employee may consider a resignation in lieu of an involuntary disciplinary termination. In such instances, Human Resources must be contacted.

1. Death of an Employee – On the unfortunate occasion that an employee expires while actively employed at Texas State, the separation reason will be categorized as voluntary (see [UPPS No. 04.04.58](http://newpolicy.com), Responding to Employee Deaths for more information).

1. Job Abandonment – The university considers any employee who abandons their job as voluntarily resigned from employment and will remove the employee from the university payroll. Job abandonment occurs in either of the following situations:

1) an employee fails to report for duty on the first regular workday after a leave without pay (LWOP). The effective date of termination is the day following the last day of the approved leave of absence period; or

2) an employee is not approved for LWOP and is absent for three consecutive workdays without notifying their supervisor. The effective date of termination is the last day the employee was in a work status as determined by their supervisor.

In job abandonment situations, the supervisor will make a good faith effort to establish contact with, or ascertain the whereabouts of, the employee before initiating a separation action. If termination is necessary, the department head will send a certified letter (return receipt requested) notifying the employee of the effective date of termination for job abandonment.

The department head will process a separation PCR indicating “job abandonment” in the explanation section, attach a copy of the certified letter with return receipt requested, and attach a memorandum to the assistant vice president for Human Resources documenting the department’s efforts to contact the employee or ascertain the employee’s location.

Since job abandonment is considered a voluntary resignation, it is not processed as a disciplinary action. Employees may not appeal job abandonment terminations through the grievance procedure found in [UPPS No. 04.04.41](https://policies.txstate.edu/university-policies/04-04-41.html), Staff Employee Mediation and Grievance Policy.

02.02 Involuntary Terminations

An involuntary termination of employment occurs when the supervisor initiates severance of the employment relationship, with or without cause. Involuntary terminations are categorized as disciplinary, non-disciplinary, or at-will. Only the president, vice presidents, deans, associate vice presidents, assistant vice presidents, and directors who report directly to a vice president have authority to involuntarily terminate staff employees and sign letters of involuntary termination. All categories of involuntary termination, as described below are subject to appeal, as outlined in [UPPS No. 04.04.41](https://policies.txstate.edu/university-policies/04-04-41.html), Staff Employee Mediation and Grievance Policy.

1. Disciplinary Termination – occurs when an employee commits serious or repeated offenses, including, but not limited to, violation of university or The Texas State University System policy or when university management determines it to be in the best interests of the university.

The terminating authority must notify the employee in writing of the termination, forward a copy to Human Resources to be placed in the employee’s personnel file, have a PCR submitted to reflect the termination, and complete the requirements of [UPPS No. 04.04.50](https://policies.txstate.edu/university-policies/04-04-50.html), Separation of Employment and Interdepartmental Transfers. The termination notice must give the reasons for the termination (except for at-will terminations) and inform the employee of appeal rights and to contact Human Resources with any questions.

1. Non-disciplinary Termination – occurs when a supervisor determines it is in the university’s best interest to involuntarily terminate an employee for reasons including, but not limited to, lack of funding, no longer a need for a position, completion of assigned project, expiration of project time, end of “interim” status, an employee’s inability to perform the duties of a position due to illness or injury, or a [reduction in force (RIF)](https://policies.txstate.edu/university-policies/04-04-14.html).

1. At-Will Termination – On occasion, the university may determine it is in its best interest to involuntarily terminate an employee at-will. In such instances, the employee will receive written notice of the termination, but under no circumstances will the notice contain any reason for the termination.

02.03 Return of Property

Employees must return all university property at the time of separation, including, but not limited to, uniforms, cellphones, keys, laptops, mobile devices, and identification cards. Texas State reserves the right to pursue criminal charges for failure to return university property.

02.04 Exit Interview

As part of the employee separation process, Human Resources will request that the separating employee complete an exit survey. The purpose of the exit survey is to gather feedback about the Texas State employment experience; identify the factors that contributed to an employee's decision to leave employment; enable the university to identify any trends requiring attention or any opportunities for improving the university’s ability to respond to employee issues; and to allow the university to improve and continue to develop recruitment and retention strategies aimed at addressing these issues.

02.05 Eligibility for Rehire

Employees who voluntarily terminate from Texas State in good standing with proper notice may be considered eligible for rehire. Former employees must follow the normal application and hiring processes and must meet all minimum qualifications and requirements of the position.

Employees who are involuntarily terminated by Texas State for cause, resign in lieu of termination, resign without providing adequate notice, or who abandon their job may be categorized as ineligible for rehire. This determination will be made by the divisional vice president, in consultation with the assistant vice president for Human Resources. If an employee is determined to be ineligible for rehire, they will be notified in writing within 30 days of their separation from employment. Ineligible for rehire status is subject to appeal under [UPPS No. 04.04.41](https://policies.txstate.edu/university-policies/04-04-41.html), Staff Employee Mediation and Grievance Policy.

**03. INTERDEPARTMENTAL TRANSFERS**

03.01 If an employee transfers from one department to another, the former department head must ensure all time is reported, university property is collected, and appropriate offices are notified to discontinue access to certain systems.

A [Transfer to Another Department Checklist](http://gato-docs.its.txstate.edu/jcr%3Ae0f0aef6-10cb-499b-af3a-9dc8ab63ac60/Transfer%20Dept%20Checklist%2005012017.doc) can be found under the “Separation” section on the [Human Resources forms webpage](https://www.hr.txstate.edu/forms.html).

**04. REVIEWERS OF THIS UPPS**

* 1. Reviewers of this UPPS include the following:

Position Date

Assistant Vice President for June 1 E4Y

Human Resources

Chair, Faculty Senate June 1 E4Y

Chair, Staff Council June 1 E4Y

**05. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Assistant Vice President for Human Resources; senior reviewer of this UPPS

Vice President for Finance and Support Services

President